

**Common Council  
Regular Meeting**

Tuesday, February 9, 2021, 6:00 p.m.

In response to COVID-19, this meeting is being held virtually to ensure the safety of members and the public.

To participate via video, go to this website: <https://meet.google.com/mdf-jebj-hki>

To participate via phone, call this number: +1 (314) 773-5700 and enter PIN: 172 964 439# when prompted.

**MINUTES**

1. **Call to order-** The meeting was called to order by Mayor Bill Hurtley at 6:01 p.m.
2. **Roll Call-** Members present: Mayor Bill Hurtley, Alderpersons Jim Brooks, Rick Cole, Dianne Duggan, Bill Lathrop, Ben Ladick, Gene Lewis, Joy Morrison and Erick Stuart. Others present: City Clerk Darnisha Haley, Deputy Clerk Leah Hurtley, Judy Walton, Community Development Director Jason Sergeant, Municipal Services Director Chad Renly, City Attorney Mark Kopp, Nathan Ward from USCellular.
3. **Approval of Agenda-**Renly requested to make an addition to add MLA USCellular contract after item 11B. The contract is included in the packet but there is no motion to approve. Attorney Kopp stated the contract can be discussed but action cannot be made at this time because it's not an agenda item. Brooks made a motion to, seconded by Duggan to approve the agenda with a minor change to item 7D1 removing the word supplemental. Motion approved 8-0. Brooks made a motion, seconded by Duggan to move discuss on the MLA USCellular contract up on the agenda after the Library Board Report. Motion approved 8-0.
4. **Approval of Minutes-**Brooks made a motion, seconded by Ladick to waive the reading of the minutes for January 12, 2021 meeting. Morrison requested one change to minutes on item 4 to correct Brooks made a motion rather than Brooks mad a motion. Motion approved 8-0.
5. **Civility reminder-** Recognition of the commitment to civility and decorum at Council meeting
6. **Citizen Appearances other than agenda items listed-** Susan Becker is running as a write in candidate for Alderman District 1 and was invited to attend the meeting as an observer.
7. **Reports of Committees**
  - A. **Library Board Report-**Haley read the report prepared by Library Director Megan Kloeckner as follows:

General Updates

    - Megan is working on the library's annual report. The final copy is due to the Department of Public Instruction by March 1. A copy will be submitted to City Hall.
    - The library is working on updating their strategic plan. The survey for community input is available now through February 28. If you have not already done so, please complete it in the next couple of weeks. We appreciate as many responses as possible.

- Library staff are working to complete the Position Analysis Questionnaires for Baker Tilly.
  - You can now reserve your curbside pickup appointment online.
  - An open discussion and an overview on the terms of the MLA agreement for the 5G USCellular towers.
- B. Youth Center Advisory Board Report-**Brooks reported the AWARE Agency has made good use of the space they have been provided since the youth center has been closed. The committee also discussed refreshing the building for summer with some power washing of the building and some planting around the front. Brooks also reported a discussion on having the building ready if in person schooling takes place in the fall and that it's still to be determined if head count can remain the same or if it needs to be limited. Brooks stated there was discussion on fund raising needs going into the new year.
- C. Plan Commission Report-**Sergeant reported that there were two agenda items ordinance 2021-01 Governing Wireless Communication Facilities & 2020-13 Amending Chapter 130 of the Zoning Code that were recommended. The committee also approved two site plans one for the water & light expansion, and a second site plan for possible reuse of a site where the former auto auction use to be along Old Hwy 92. Sergeant also reported that the park, pool and splashpad RFQ were recommended.
- D. Finance and Labor Relations Committee Report**
- 1) Cole made a motion, seconded by Duggan to accept the January 2021 City bills as presented in the amount of \$3,422,453.20. Motion approved 8-0 on a roll call vote.
  - 2) Cole made a motion, seconded by Morrison to approve the lease extension agreement with Quadient Leasing USA Inc. for city hall postage machine. Motion approved 8-0 on a roll call vote.
- E. Public Safety Committee Report-** Duggan reported there were three operator's license approved. Lieutenant Jones is working on updating the animal ordinance to make it cohesive through the entire ordinance. The committee also discussed the possibly of making changes the alcohol ordinance to streamline the process for operator licenses applications. Duggan also reported the police department is looking in to developing a K9 unit here in Evansville. They are currently looking into what is necessary for training, staffing and financing to move forward with this program.
- F. Municipal Services Report-** Brooks reported it is unlikely that there will be a four way stop at the corner of Main & Water or a three way stop at the corner of Water & Madison as the DOT is not likely to go along with the idea. There was also a discussion on Arrearages due to Covid and how to have a deferred agreement plan and a disconnection plan in place to disconnect as few as possible. The goal is to make it easy as possible for people to get back to zero. Brooks also reported that the road project between Main & Liberty on t, will be included in the Liberty St. project in a year or two rather than changing the budget and the scope of the project planned for 2021. March 11<sup>th</sup> WPPI is offering a seminar to public power governments if anyone is interested. Julie Roberts, Chad Renly & Jim Brooks will be meeting with Johnson & Block to talk about the upcoming water rate case

## **G. Economic Development Committee**

- 1) Brooks made a motion, seconded by Ladick to forgive the entire remaining balance of revolving loan RLF-2018-01 (Urban Exchange Consignments) including the principal balance of \$1,069.04 and interest that would have accrued. Motion passes 8-0 on a roll call vote.

**H. Parks and Recreation Board Report-**Morrison reported that the local Boy Scout group is holding a winter fun day with an ice fishing derby and a Klondike race at Lake Leota. Renly reported that dam repair drawings were due on January 20<sup>th</sup> and they have now been submitted to the DNR for further review. Morrison also reported that Gavin Frey a senior at Evansville High school submitted a proposal for a senior project to build bird houses for the park. The project was endorsed by the park board and they look forward to the seeing the bird houses that he builds. The 2020 creek walls and the duck house project is still slated to continue in the spring when the weather is a bit nicer. Morrison further reported, the park board received a request to possibly develop an ice skating rink next winter. Renly explored Countryside and the retention pond but there isn't enough parking. One possible option would be Westside Park due to the availability of level space and parking. To create the rink they would using plywood board and plastic sheeting then have it flooded by the fire dept.

- 1) Brooks made a motion, seconded by Lathrop, to approve RFQ for Park and Splash pad with suggested changes and pending park board's final approval. Motion passed 8-0

**I. Historic Preservation Commission-**Lewis reported the property owner for 113 E Main St would like to make repairs to the porch & stairs. The property owner did not provide enough information to committee and what was proposed would not work with the guidelines for the historic district. This homeowner must come back and present some direction on this project. Lewis also reported that the property owner of 26 Garfield would like to replace the porch. They must come back and provide 3 views of the project and how it will connect with the existing roof.

**J. Fire District Report-** Brooks reported there were change with the mobile maintenance provider to hopefully provide better service. Brooks also reported there are 3 fire fighters that are currently enrolled in EMS class in Monticello.

**K. Police Commission Report-**Nothing to report

**L. Energy Independence Team Report-**Brooks reported they took a look at 25x25 energy plan that was adopted by the city setting sustainability goals for the city to achieve by 2025. The plan was reviewed to see what goals were met or where accommodations were made. They decided to help the city move forward and stretch the goals and write a resolution to get the city on a carbon neutral basis to incorporate sustainability into the comprehensive plan for review in 2022.

**M. Board of Appeals Report-**Nothing to report

## **8. Unfinished Business**

- A. Brooks made a motion, seconded by Duggan to approve additional expenditures for recording equipment added to AV system in council chambers not to exceed \$3,000. Motion passed 8-0 on a roll call vote.

- B. Brooks made a motion, seconded by Cole to approve Ordinance 2020-13 Amending Ch. 130 of the Zoning Code with the adjustments listed in item 1, 2, 3 & 4 below. Motion passed 8-0
  - 1) Brooks made a motion, seconded by Cole to approve Ordinance 2020-13 revising the offset requirement listed in 130-984(12)(d) and 130-1004(14)(d) from 4 feet to 12 feet and correcting 130-984(12) (a) and (b) to read “forty five (45%)” and striking “, 25 feet at front setback line” from 130-1004(14)(e). Motion passed 8-0
  - 2) Brooks made an additional motion, seconded by Cole to include a key provision to delay implementation of 130-984(12)(b),(c), and (d) as well as 130-1004(14)(b),(c), and (d) until January 1,2022. Motion passes 8-0
  - 3) Brooks made a motion, seconded by Duggan to amend 130-983(5) to read telecommunication and electric transmission and distribution lines, building, or structures. Motion passed 8-0
  - 4) Brooks made a motion, seconded by Cole to amend Sec 130-1004(14)(a) correct the spelling of fifty in fifty percent. Motion passed 8-0

**9. Communications and Recommendations of the Administrator (placeholder)**

**10. Communications and Recommendations of the Mayor**

- A. Brooks made a motion, seconded by Cole to approve appointment of Mike Pfeil, 78 Champion Drive, to the Park & Recreation Board to full-fill the term of Darrell Hamilton which ends in 2021. Motion passes 8-0 on a roll call vote

**11. New Business**

- A. Brooks made a motion, seconded by Cole that the Council suspend its current rule and/or past practice of voting on proposed ordinances only after a first and second reading so that proposed ordinance 2021-01, which is identified as agenda item 12A can be voted on after the first reading. Motion passed 8-0
- B. Brooks made a motion, seconded by Cole to approve Resolution 2021-01 A Resolution Establishing Fees for use of Right-of-Way and use of Municipally Owned Property. With the adjustments listed in item 1 & 2 below. Motion passed 8-0
  - 1) Brooks made a motion, seconded by Cole to enter \$15 into the blank space on for annual fees on resolution 2021-01. Motion passed 8-0.
  - 2) Brooks made a motion, seconded by Lathrop to amend striking the word “or” after the second paragraph and strike the second #2 option on the original resolution 2021-01. Motion passed 8-0.

**12. Introduction of New Ordinances**

- A. Brooks made a motion, seconded by Cole to approve Ordinance 2021-01 Governing Wireless Communication Facilities. Motion passed 8-0
  - 1) Brooks made a motion, seconded by Duggan to amend section 160-387(c) to change the publication type from a Class 2 notice to a Class 1 notice. Motion passed 8-0.

**13. Meeting Reminder**

- A. Regular meeting March 9<sup>th</sup>, 2021 6:00 p.m.

14. **Adjourn-** Cole made a motion, seconded by Duggan to adjourn at 8:07 p.m. Motion approved 8-0

Darnisha Haley, City Clerk

The minutes are not official until approved by the Common Council at the next regular meeting.